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February 20, 2018

BY ECF

Hon. Katherine B. Forrest
United States District Judge
United States District Court
500 Pearl Street
New York NY 10007

Re: *United States v. Ross William Ulbricht, et al*, 14 Cr. 68 (KBF)
Petition for Rehearing Re Denial of Motion for Recusal

Dear Judge Forrest:

I write on behalf of Defendant Ross Ulbricht to submit this petition for rehearing and motion for reconsideration, asking that the court vacate its February 5, 2018 order (Doc. # 310) denying Mr. Ulbricht's Motion for Recusal, and that the court now grant the motion. I have contacted the government about this request and AUSA Eun Young Choi advises that the government objects to the requested relief.

Mr. Ulbricht believes that the court has misapprehended, overlooked, not addressed, or misapplied the facts and pertinent law provided by Mr. Ulbricht.

1. *The court's order denying the Motion for Recusal describes Mr. Ulbricht's Motion as "frivolous and full of many misstatements of the record."* Doc. 310. The court's order did not explain why the Motion was frivolous nor what the alleged "many misstatements of the record" may consist of.

The court's order did not address any of the factual allegations nor any of the legal arguments advanced by Mr. Ulbricht.

2. *The order denying the Motion for Recusal did not address Mr. Ulbricht's three bases for calling into question the impartiality of the court.* Each of these will now be addressed:

A. The empaneling of an anonymous jury

What the court overlooked or misapprehended about Mr. Ulbricht's claim that the court's empaneling of an anonymous jury undermined the presumption of innocence and prejudiced his jurors against him, is the following: